

Message Text

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ORIGIN EB-08

INFO OCT-01 IO-13 ISO-00 L-03 AF-10 ARA-10 EA-10
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CIAE-00 COME-00 FRB-03 INR-07 NSAE-00 TRSE-00
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IO:C FRANK (SUBS)
L:L MARKS

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TO USMISSION USUN NEW YORK IMMEDIATE

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E.O. 11652: N/A

TAGS: EINV

SUBJECT: ECOSOC INTERGOVERNMENTAL WORKING GROUP ON
ILLICIT PAYMENTS, JANUARY 23-27
REFS: (A) FRANK WELLS TELECON, (B) STATE 1067
1. DEPARTMENT IS AWARE OF G-77 EFFORTS TO RESCHEDULE
AND/OR POSTPONE SUBJECT MEETING. IN MEETINGS AND DISCUS-
SIONS WITH SECRETARIAT PERSONNEL AND REPRESENTATIVES OF
OTHER INTERESTED MISSIONS, USUN SHOULD INDICATE CONTINUED
STRONG AND HIGH-LEVEL USG INTEREST IN THE WORK OF THE
WORKING GROUP ON ILLICIT PAYMENTS. IN THIS CONNECTION,
THE MISSION SHOULD STRESS THE FOLLOWING POINTS:

-- THE U.S. ATTACHES GREAT IMPORTANCE TO THE SESSION
SCHEDULED FOR JANUARY 23-27 AS A MEANS OF ADVANCING PRO-
GRESS ON AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS,
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A GOAL WHICH ECOSOC ENDORSED LAST SUMMER. SUCH AN AGREE-
MENT IS IN THE INTEREST OF ALL COUNTRIES AND FAILURE TO
MOVE AHEAD WITH WORK ON THIS AGREEMENT WILL BE INTERPRETED
AS A LACK OF INTERNATIONAL COMMITMENT IN DEALING WITH THE
PROBLEM OF BRIBERY IN INTERNATIONAL COMMERCIAL TRANS-
ACTIONS.

-- WE RECOGNIZE THAT THIS ISSUE DOES NOT HAVE THE HIGH PRIORITY ACCORDED TO OTHER ISSUES BY THE G-77. THE SAME

CAN BE SAID OF U.S. ATTITUDES TOWARD CERTAIN ISSUES WHICH THE G-77 FEEL ARE IMPORTANT. HOWEVER, THIS MEETING WAS AGREED TO AND SCHEDULED ALMOST SIX MONTHS AGO. IF IT IS IMPOSSIBLE TO ACCOMMODATE US ON THIS ISSUE, WHICH WE BELIEVE IN ANY CASE SHOULD BE OF HIGH PRIORITY TO ALL, WE BELIEVE WE WILL NEED, FOR OUR PART, TO REASSESS THE DEGREE AND DESIRABILITY OF U.S. PARTICIPATION IN AREAS OF MORE MARGINAL INTEREST TO US.

-- WE WOULD BE PREPARED TO ENTERTAIN SERIOUS ALTERNATIVES IN RESCHEDULING WHICH WOULD BE ACCEPTABLE TO BOTH SIDES. IN PARTICULAR WE COULD CONTEMPLATE THAT THE ILLICIT PAYMENTS MEETING BE HELD THE WEEK OF FEBRUARY 20-24 OR FEBRUARY 27-MARCH 3 FOR WHICH THERE DO NOT APPEAR TO BE OTHER MEETINGS SCHEDULED. A LESS DESIRABLE ALTERNATIVE WOULD BE TO SCHEDULE AN ILLICIT PAYMENTS SESSION FOR ONE WEEK OF THE TWO WEEKS SCHEDULED FEBRUARY 6-17 TO CONSIDER

THE CODE OF CONDUCT RELATING TO TRANSNATIONAL CORPORATIONS.

2. IF IT IS DECIDED TO SCHEDULE AN ILLICIT PAYMENTS MEETING IN LIEU OF ONE WEEK OF THE SCHEDULED TWO-WEEK LIMITED OFFICIAL USE

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CODE OF CONDUCT NEGOTIATIONS, THE MISSION SHOULD NOTE THAT THE U.S. HAS MADE QUITE CLEAR THAT WE ARE NOT PREPARED TO LINK AN AGREEMENT ON ILLICIT PAYMENTS DIRECTLY TO A CODE OF CONDUCT RELATING TO TRANSNATIONAL CORPORATIONS. WE BELIEVE THAT EACH OF THESE NEGOTIATIONS MUST STAND ON ITS OWN MERITS AND THE U.S. WILL NOT GO ALONG WITH ATTEMPTS TO HOLD THE ILLICIT PAYMENTS AGREEMENT HOSTAGE TO PROGRESS ON THE MORE CONTENTIOUS CODE OF CONDUCT.

3. PLEASE REPORT DEVELOPMENTS ON THIS ISSUE SOONEST. CHRISTOPHER

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